8479076/2024/OP SEC-TRB01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Transport Department – Departmental Proceedings initiated against **Sri B.Damodhara Naidu, MVI., Srikalahasthi, Office of the District Transport Officer, Tirupati** under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

==========

TRANSPORT ROADS & BUILDINGS (VIG-TR) DEPARTMENT

G.O. Rt. No.56 Dated:01.02.2024

Read the following:

1. From the Transport Commissioner, AP, Lr.No.20021/26/V1/2023, Dated : 30. 10.2023
2. G.O.Rt.No.54, TR&B(VIG-TR) Dept, dt.01.02.2024.

******

**ORDER :**

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri B.Damodhara Naidu, MVI., Srikalahasthi, Office of the District Transport Officer, Tirupati under Rule 20 of the said rules on the allegations of miss-operation in transaction of stolen vehicle of AP39DF7160.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3 Sri B.Damodhara Naidu, MVI., Srikalahasthi, Office of the District Transport Officer, Tirupati is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri B.Damodhara Naidu, MVI., Srikalahasthi, Office of the District Transport Officer, Tirupati is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri B.Damodhara Naidu, MVI., Srikalahasthi, Office of the District Transport Officer, Tirupati is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his

instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PRADYUMNA P.S
SECRETARY TO GOVERNMENT

To
Sri B.Damodhara Naidu, MVI., Srikalahasthi, Office of the District Transport Officer, Tirupati (w.e, Annexures-I to IV) through the Transport Commissioner, AP, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

The Transport Commissioner, AP, Vijayawada
SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

## ANNEXURE-I

**STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST Sri B.Damodhara Naidu, MVI., Srikalahasthi, Office of the District Transport Officer, Tirupati**

Sri B Damodhara Naidu, MVI, O/o DTC, Ananthapuramu, working in Transport Department from 18 07 2019, under the administrative control of Deputy Transport Commissioner, Ananthapuramu

CHARGE:

Sri B Damodhara Naidu, MVI, O/o DTC, Ananthapuramu while working under the administrative control of the Deputy Transport Commissioner, Ananthapuramu during the period from 18.07.2019 to 29.06.2022 has committed grave misconduct in as much as

**Charge-1:**

"He reported on inspection of vehicle KA53D1162 processed vide application number AP0021697292019 at Citizen level for change of address and data entry on 16.12.2019 in which NOC copy up loaded pertaining to KA03AE8818 by changing the vehicle number as KA53D1162 and as verified in VAHAN data base the vehicle is registered as Motor cab (LPV) with the model as Maruthi Swift Dzire Tour, but the MVI approved the class of vehicle as Motor car and model as Maruthi Swift Dzire LDI, by not uploading the image of the vehicle rear diagonal view without proper verification documents and with help of fake and fabricated documents and also not confirming the genuineness of the NOC, in a fraudulent manner with ulterior motive for her unlawful gains and thus he has violated Rule 3 (1) and (2) of A.P.C.S (Conduct) Rules, 1964.

Thus, Sri B.Damodhara Naidu, MVI., O/o District Transport Officer Tirupati by his above mentioned acts exhibited lack of integrity, lack of devotion to duty and exhibited conduct unbecoming of a Government Servant and there by contravened Rule 3 (1) and (2) of A. P. Civil Service (Conduct) Rules 1964".

PRADYUMNA P.S
SECRETARY TO GOVERNMENT

## ANNEXURE-II

## STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST Sri B.Damodhar Naidu MVI, Srikalahasthi, Olo District Transport Officer, Tirupathi

*****

It is brought to the notice of the undersigned that. The Regional Joint Transpon Commissioner, Tirupati informed that after receipt of the memo dated 12.09.2023 of the Transport Commissioner, AP, Vijayawada he, proceeded to the O/o the Deputy Transport Commissioner, Ananthapuramu and enquired the matter with the DTC. Ananthapur and instructed him to submit a detailed report after gone through the contents in the complaint filed by Sri E. Sandeep Kumar S/o E.Siddalah, resident of Chinnatekuru(V) Kallur (M), Kurnool District

2 The Deputy Transport Commissioner, Ananthapuramu has submitted his report vide R. No 409/A1/2023, dated 12. 10.2023 and submitted that as per the vehicle history obtained from the VAHAN data base the vehicle bearing registration no KA53D1162was initially registered at the Olo. RTO, Krishnarajapuram, Karnataka State on 28.10.2017 in the name of Sri V.Kalyan Kumar, S/o. Venkatesappa, D.No. 297, AKG Colony. Opp.MVT College, Chennasandra, Kadugodi Post, Bangalore-560067 and there are no details found with regard to issue of No Objection Certificate to transfer the vehicle from Karnataka State to Andhra Pradesh State

3. Further the DTC, Ananthapur submitted that as per the B-Register of the vehicle bearing registration no. AP39DF7160 obtained from the AP Transport Department data base (E-Pragathi), the vehicle bearing registration no. KA53D1162 was entered into the rolls of RTA, Ananthapuramu through data entry and change of address vide application no. AP0021697292019 and approved on 17.12.2019. But the vehicle was registered in the name of Sri TalariPrabhakar, S/o T Narayanna, Door No 3-725, Thapovanam, Ananthapuramu. Later the vehicle was reassigned as AP39DF7160 vide application number AP0021705502019, approved on 21.12.2019 and the following transactions were made as per the B-Register of the vehicle no. AP39DF7160.

**3.1** **TABLE : A**

| SINo | Application Number | Transaction details | RTA details | Application Approved date |
|---|---|---|---|---|
| 1 | AP0021697292019 | Data entry & Change of Address | RTA, Ananthapuram | 17-12-2019 |
| 2 | AP0021705502019 | Reassignment of Vehicles | RTA, Ananthapuram | 21-12-2019 |
| 3 | AP0021730892019 | Transfer of Ownership | RTA, Ananthapuram | 07-01-2020 |
| 4 | AP2210026792020 | Transfer of Ownership & HPA | RTA, Ananthapuram | 28-02-2020 |
| 5 | AP2210057202020 | Transfer of | RTA, Kurnool | 21-09-2020 |

| | | | | |
|---|---|---|---|---|
| | | Ownership & HPT &HPA | | |
| 6 | AP0211242422021 | Objection and Blocking of all further transactions | RTA, Kurnool | 12-10-2020 |

3.2 The DTC, Ananthapuramu submitted that, the details of the documents uploaded at the time of data entry and Change of Address approved at RTA, Ananthapuramu Dt:17.12.2019, vide application number AP0021697292019 were as follows:

**3.3 TABLE :B**

| **SINo** | **Title of the document to be uploaded** | **Title of the document uploaded** | **Remarks ,If any** |
|---|---|---|---|
| 1 | Proof of RC book Back view | Front view of RC KA53D1162 | |
| 2 | Tax details copy | NOC copy issued by RTOBangalore (N), in the name of Mr Y. Vinod Kumar | **It is a fake NOC copy** |
| 3 | Proof of RC book Front view | Front view of RC KA53D1162 | |
| 4 | Present Address proof of the owner (Front view) | Aadhar card of TalariPrabhakar (4874 7951 1437) | |
| 5 | Proof of invoice | Online price copy obtained from google | |
| 6 | Insurance copy | Insurance copy of KA53D1162 | |
| 7 | Present Address proof of the owner (Back view) | Aadhar card of TalariPrabhakar (4874 7951 1437) | |
| 8 | Form 28-2 | NOC copy issued by RTO, Bangalore (N), in the name of Mr Y. Vinod Kumar | **It is a fake NOC copy** |
| 9 | Pollution Check Copy | PUC of KA53D1162 | |
| 10 | Vehicle front diagonal view | Vehicle front diagonal view OF KA53D1162 | |
| 11 | Vehicle rear diagonal view | Vehicle rear diagonal view of KA53D1162 | |

3.4 The DTC, Ananthapuramu submitted that, the vehicle KA53D1162 was initially registered at RTO, Krishnarajapuram, Karnataka on 28.10.2017, but as per the documents uploaded in AP Transport Department data base (E-Pragathi) by the applicant, the NOC was issued by RTO, Bangalore (N), Karnataka vide NOC number KA/53/NOC/2019/9586, Dated 05.11.2019. Further he submitted that, both the RTO, Krishnarajapuram and the RTO, Bangalore (N) were contacted over phone and they confirmed that, they were not issued any NOC for the vehicle

KA53D1162 to Ananthapuramu, AP State and the vehicle was still in the rolls of Krishnarajapuram RTO, Karnataka State, hence it is clearly evident that the NOC copy uploaded at the time of data entry and Change of Address, vide application number AP0021697292019, approved on 17.12.2019 is a fake document.

3.5 The DTC, Ananthapurmau submitted that, the following employees were verified the documents in online and approved the application. The details are as follows:

**3.6** **TABLE : C**

| SI NO | USER ID | Role of the employee | Approved /Rejected | Name of the employee |
|---|---|---|---|---|
| 1 | BDNAIDU | MVI | Approved | B.Damodara Naidu |
| 2 | PVANI | CCO | Approved | P.C.Amaravani |
| 3 | KARIM | AO | Approved | Syed Karimullah |
| 4 | SMBASHA | RTO | Approved | S.MahaboobBhasha |

3.7 Finally the DTC, Ananthapuramu submitted that NOC copy uploaded at the time of Data entry and Change of Address is a fake NOC. Application submitted for the Data entry and Change of Address. But the Transaction was made as Data entry and Transfer of Ownership and the employees who were approved the application were not delegated their legitimate duty properly, at the time of approval of application number AP0021697292019, for which made data entry and Transfer of ownership, approved on 17.12.2019.

4. The Regional Joint Transport Commissioner, Tirupati, Zone IV has submitted that on his enquiry with VAHAN data base, E-Pragathi data base and based on the report of DTC,Ananthapuramu, the vehicle bearing registration no.KA53D1162 (MarutiSwiftDzire Tour)was originally registered as Motor Cab (LPV) at RTA, Krishnarajapuram RTO, Karnataka State in the name of Kalyan Kumar, S/o. Venkatesappa, D.No. 297, AKG Colony, Opp.MVT College, Chennasandra, Kadugodi Post, Bangalore-560067 and having Contract Carriage permit no. 53T/CC-LT/1428/2017-181 valid up to 06.11.2022 and the vehicle is still in the roles of RTO Krishnarajapuram and there is no details found with regard to issue of genuine No Objection Certificate (NOC) from RTO, Krishnarajapuram, Karnatakato transfer the vehicle from Karnataka to Andhra Pradesh. The RTO, Bangalore (North) through letter no RTO/BNG(N)/TR/2023-24,dated. 17.10.2023 has confirmed that the vehicle bearing registration no KA53D1162 is still in the rolls of RTO, Krishnarajapuram, Karnataka State and their office had not issued any NOC to RTO, Ananthapuramu .

4.1 Later with fake NOC copy issued by RTO, Bangalore (North), Karnataka State in the name of Y.Vinod Kumar, the data entry and Change of Address was made on 17.12.2019, but in the E-Pragathi data base system the actual transaction effected as data entry and transfer of ownership in the name of TalariPrabhakar, S/o. T.Narayana, D.No.3-725, Tapovanam, Ananthapurat the RTA,Ananthapuramu vide application no. AP0021697292019 by collecting life tax of Rs.52350/-on online cost of Rs. 475820/- instead of VAHAN cost of Rs.592936/-. Also when scanned QR Code available on fake NOC it is reflecting another vehicle no as KA03AE8818 with chassis no MALA651DLHM675845F.Immediately within four days i.e on 21.12.2019 the vehicle noKA53D1162 was Re-Assigned as AP39DF7160 vide application no.AP0021705502019.

4.2 **On his enquiry the following irregularities are identified.**

1. With fake NOC issued by RTO Bangalore (North), Karnataka State the data entry and change of address was made for the vehicle KA53D1162 at the time of first entry into RTA, Ananthapuramu, AP State, but in the E-Pragathi data base system the actual transaction approved as data entry and Transfer Of Ownership in the name of TalariPrabhakar whose name was not reflected in fake NOC Immediately within four days the vehicle was Re-Assigned as AP39DF7160

2. As per VAHAN website the vehicle KA53D1162 is registered as Motor Cab (LPV) with model Maruti Swift DzireTourand is still in the rolls of RTO Krishnarajapuram, Karnataka State. **The RTO, Bangalore (North) through letter no. RTO/BNG(N)/TR/2023-24, dated. 17.10.2023 has confirmed that the vehicle bearing registration no KA53D1162 is still in the rolls of RTO, Krishnarajapuram, Karnataka State and this office has not issued any NOC to RTO, Ananthapuramu**. But at the time of data entry with fake NOC at RTA, Ananthapuramu the class of vehicle was changed as Motor Car with maker's class as Maruti Swift Dzire LDI BSIV.

3. The following officials are approved the transactions at the time of first entry into RTA, Ananthapuram.

   a) **CCO (SmtP.Amaravani, Presently working as Senior Assistant at the O/o.DTO, Tirupati):** She was first approved the data entry and change of address transaction which was uploaded with fake NOC issued by RTO Bengaluru (North), Karnataka State without verifying and confirming the genuineness of the NOC either through VAHAN website or through overphone. Also collected less life tax on online invoice cost instead of cost. She was not performed her legitimate duties properly at the time of approving the transaction AP State for the first time. of the vehicle KA53D1162 which was entered VAHAN

   b) **MVI (Sri B.Damodar Naidu, Presently working as MVI, Sri Kalahasti, Tirupati District):** He inspected the vehicle KA53D1162 physically and found that the chassis and engine numbers available on the vehicle are tallied with the details available on the registration certificate and approved the transaction by uploading the vehicle images along with chassis number, but not uploaded the vehicle rear diagonal view. Also on perusal of the VAHAN data base the vehicle is registered as Motor cab (LPV) with the model as Maruthi Swift Dzire Tour, but the MVI approved the class of vehicle as Motor car and model as Maruthi Swift Dzire LDI. Hence he was not performed his legitimate duties properly at the time of inspection and approved the transaction of the vehicle KA53D1162 which was entered into A.P. State for the first time.

   c) **AO (Sri Syed Karimullah, Presently working as Administrative Officer, Olo.RTO, Proddatur, YSR Kadapa District):** He was approved the data entry and change of address transaction which was uploaded with fake NOC issued by RTO Bengaluru (North), Karnataka State after CCO and MVI without verifying and confirming the genuineness of the NOC either through VAHAN website or through over phone: Also collected less life tax on online invoice cost instead of VAHAN cost. He was not performed his legitimate duties properly at the

time of approving the transaction of the vehicle KA53D1162 which was entered in AP State for the first time.

d) **RTO (Sri S.MahaboobBasha, Who was suspended and retired from the service):** He was approved the data entry and change of address transaction which was uploaded with fake NOC issued by RTO Bengaluru (North), Karnataka State after CCO,MVI and AO without verifying and confirming the genuineness of the NOC either through VAHAN website or through over phone. Also collected less lite tax on online invoice cost instead of VAHAN cost. He was not performed his legitimate duties properly at the time of approving the transaction of the vehicle KA53D1162 which was entered in AP State for the first time.

The Hon'ble Lokayuktha issued an order dated 31.07.2023 as furnished below.

5.1" **In the circumstances of the case, the complaint is advance to this day from 04.09.2023 and send copy of the report of the Deputy Transport Commissioner, Kurnool dated 11.01.2023 to the Commissioner of Transport Department, A.P. to examine the report of the Deputy Transport Commissioner, Kurnool and identify the miss-operation in registration of stolen vehicle and submit report on the aspect of action against the officials responsible for the same**".

6. Thus, Sri B. Damodhara Naidu MVI,Kalahasthi., O/o District Transport Officer, Tirupati, thereby exhibited lack of integrity, lack of devotion to duty and exhibited conduct unbecoming of Government Servant and thereby contravened Rule 3 (1) and (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The Government servant has therefore, rendered himself liable for punishment as per A.P.C.S (CC&A) Rules, 1991.

PRADYUMNA P.S
SECRETARY TO GOVERNMENT

## ANNEXURE - III

## LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES ARE TO BE SUSTAINED PROPOSED

1. Sri.M.Veeraju, DTC, Ananthapur.
2. Sri.M. BasiReddy, Regional Joint Transport Commissioner, Tirupati, Zone IV
3. Any witness as required during the course of enquiry.

PRADYUMNA P.S
SECRETARY TO GOVERNMENT

## ANNEXURE - IV

## LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES PROPOSED TO Be SUSTAINED.

1. Letter R.No.409/A1/2023 dated 12.10.2023 of the Deputy Transport Commissioner, Ananthapuramu

2. Letter No. 27/A1/2023 dated 18.10.2023 of the Regional Joint Transport Commissioner, Tirupati, Zone IV

3. Letter No Dis No. 922/2022/B1/LOK/8699/2023 dated 18.08.2023 of the Deputy Registrar, Institution of Lokayuktha of Andhra Pradesh.

4. Any other document as required during the course of enquiry.

PRADYUMNA P.S
SECRETARY TO GOVERNMENT